

ENTERED

February 22, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA,	§	
	§	
VS.	§	CIVIL ACTION NO. 7:19-CV-407
	§	
23.311 ACRES OF LAND, MORE OR LESS,	§	
<i>et al</i> ,	§	
	§	
Defendants.	§	

ORDER OF REFERRAL TO MEDIATION

The Court finds that this case should be referred to mediation pursuant to Local Rule 16.4. Therefore, the Court hereby **REFERS** this case to a mediator agreed upon by the parties. If the parties are unable to agree upon a mediator within ten (10) days from the date of this Order, they shall immediately notify the Court who shall appoint one. Although mediation is mandatory, it shall be a nonbinding settlement conference in which the parties attempt to resolve their differences with the assistance of a third-party mediator.

Within fourteen (14) days from the date of this Order all counsel must contact the mediator to arrange the details of mediation. If the parties and mediator cannot agree on a date for the mediation within the time allotted by the Court, the mediator will select a date, and the parties shall appear as directed by the mediator. Mediation shall occur no later than sixty (60) days from the date of this Order. The mediation session and any further discussions with the mediator are confidential and no process may be served upon any person entering, leaving, or attending any mediation session.

Counsel and the parties shall endeavor in good faith to resolve the case through mediation. The following persons shall attend the mediation until dismissed by the mediator:

1. Counsel for each party;


2. Any party who is a natural person;
3. A representative of any party who is not a natural person; and
4. A representative of any insurance company, including any excess carrier, whose authority is likely needed to negotiate a settlement on behalf of any party.

The mediator and the parties will determine the fee for the mediation. The fee is to be divided and borne equally by the parties unless otherwise agreed or ordered.

Within fourteen (14) days after the mediation, the mediator will file with the Clerk the Memorandum required by Local Rule 16.4.K(2). No information about the mediation, other than that required by Local Rule 16.4, may be given to the Court by anyone.

Plaintiff is responsible for providing a copy of this Order to the mediator.

SO ORDERED February 22, 2021, at McAllen, Texas.



Randy Crane
United States District Judge